

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

Claim 1. (Canceled)

Claim 2. (Previously Amended) The non-aqueous secondary battery of Claim 21, wherein the element A of the compound is Cu or Ag.

Claim 3. (Original) The non-aqueous secondary battery of Claim 2, wherein the element A of the compound is Cu or Ag.

Claim 4. (Previously Amended) The non-aqueous secondary battery of Claim 21, wherein the number a of the compound is  $0.6 \leq a \leq 2$ .

Claim 5. (Previously Amended) The non-aqueous secondary battery of Claim 21, wherein the compound is selected from the group consisting of CuS, Ag<sub>2</sub>S, Cu<sub>2</sub>S, AuS, and Au<sub>0.5</sub>S.

Claim 6. (Withdrawn) A nonaqueous secondary battery having a compound of the

general formula (2):



wherein B and D are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W and Li,  $0.001 \leq b \leq 0.999$ , and  $0 < y < 2$ , as an active material of a negative electrode.

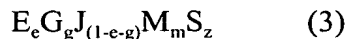
Claim 7. (Withdrawn) The non-aqueous secondary battery of Claim 6, wherein at least one of the elements B and D of the compound is Cu, Ag or Au.

Claim 8. (Withdrawn) The non-aqueous secondary battery of Claim 7, wherein the elements B or D of the compound is Ag.

Claim 9. (Withdrawn) The non-aqueous secondary battery of Claim 6, wherein the number y of the compound is  $0 < y < 1$ .

Claim 10. (Withdrawn) The non-aqueous secondary battery of Claim 6, wherein the compound is selected from the group consisting of  $Ag_{0.09}Zn_{0.91}S_{0.91}$ ,  $Ag_{0.5}Zn_{0.5}S_{0.75}$ ,  $Ag_{0.9}Al_{0.1}S_{0.6}$ ,  $Zn_{0.91}Cu_{0.09}S_{0.955}$ ,  $Ag_{0.9}Zn_{0.1}S_{0.55}$ ,  $Li_{0.5}Ag_{0.5}S_{0.25}$ ,  $Li_{0.5}Au_{0.5}S_{0.25}$ ,  $Li_{0.5}Cu_{0.5}S_{0.25}$ , and  $Li_{0.67}Cu_{0.33}S_{0.67}$

Claim 11. (Withdrawn) A nonaqueous secondary battery having a compound of the general formula (3):



wherein E, G and J are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W, Li and Mg; M is Ca, Sr, Na, K, Rb, O, F, Cl, Br or I;  $0.001 < e < 0.999$ ;  $0.001 < g < 0.999$ ;  $0 \leq m \leq 2$ ,  $0 < z < 2(1+m)$ , as an active material of a negative electrode.

Claim 12. (Withdrawn) The non-aqueous secondary battery of Claim 11, wherein at least one of the elements E, G and J of the compound is Cu, Ag or Au.

Claim 13. (Withdrawn) The non-aqueous secondary battery of Claim 12, wherein the elements E, G or J of the compound is Ag.

Claim 14. (Withdrawn) The non-aqueous secondary battery of Claim 11, wherein the element M of the compound is Sr, O, F or Cl.

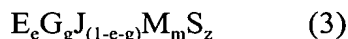
Claim 15. (Withdrawn) The non-aqueous secondary battery of Claim 14, wherein the element M of the compound is O or Cl.

Claim 16. (Withdrawn) The non-aqueous secondary battery of Claim 11, wherein the number z of the compound is  $0 < z < 1.5(1+m)$ .

Claim 17. (Withdrawn) The non-aqueous secondary battery of Claim 16, wherein the number z of the compound is  $0.2(1+m) < z < (1+m)$ .

Claim 18. (Withdrawn) The non-aqueous secondary battery of Claim 11, wherein the compound is selected from the group consisting of  $\text{Ag}_{0.09}\text{Zn}_{0.901}\text{Mg}_{0.009}\text{S}_{0.94}$ ,  $\text{Ag}_{0.083}\text{Zn}_{0.834}\text{Mg}_{0.083}\text{S}_{0.92}$ ,  $\text{Ag}_{0.901}\text{Al}_{0.09}\text{Mg}_{0.009}\text{S}_{0.5945}$ ,  $\text{Ag}_{0.834}\text{Al}_{0.083}\text{Mg}_{0.083}\text{S}_{0.6245}$ ,  $\text{Ag}_{0.901}\text{Al}_{0.092}\text{Mg}_{0.009}\text{S}_{0.5945}\text{O}_{0.2}$ ,  $\text{Ag}_{0.901}\text{Al}_{0.09}\text{Mg}_{0.009}\text{S}_{0.5945}\text{Cl}_{0.2}$ ,  $\text{Ag}_{0.09}\text{Zn}_{0.901}\text{Mg}_{0.009}\text{S}_{0.94}\text{O}_{0.2}$ , and  $\text{Ag}_{0.09}\text{Zn}_{0.901}\text{S}_{0.75}\text{Mg}_{0.009}\text{S}_{0.94}\text{Cl}_{0.2}$ .

Claim 19. (Previously Amended) An energy storage device having a nonaqueous electrolytic solution and a compound of any one of the formulas (1) to (3):



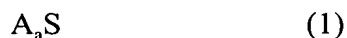
where A is Cu, Ag or Au;  $0.4 \leq a \leq 5$ ; B and D are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W and Li;  $0.001 \leq b \leq 0.999$ ;  $0 < y < 2$ ; E, G and J are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W, Li and Mg; M is Ca, Sr, Na, K, Rb, O, F, Cl, Br or I;  $0.001 < e < 0.999$ ;  $0.001 < g < 0.999$ ;  $0 \leq m \leq 2$ ; and  $0 < z < 2(1+m)$ , as an active material of a negative electrode which releases electrons as the energy storage device is discharged, in an amount of 75% to 99.9% by weight of the composition of the negative electrode.

Claim 20. (Withdrawn) An energy storage device having a compound of any one of the formulae (1) to (3):



where A is Cu, Ag or Au;  $0.4 \leq a \leq 5$ ; B and D are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W and Li;  $0.001 \leq b \leq 0.999$ ;  $0 < y < 2$ ; E, G and J are different from each other, and are each selected from the group consisting of Cu, Ag, Au, Zn, Al, W, Li and Mg; M is Ca, Sr, Na, K, Rb, O, F, Cl, Br or I;  $0.001 < e < 0.999$ ;  $0.001 < g < 0.999$ ;  $0 \leq m \leq 0.2$ ; and  $0 < z < 2(1+m)$ , as an electrode material for an electrochemical capacitor.

Claim 21. (Previously Amended) A nonaqueous secondary battery, which comprises:  
a negative electrode whose active material comprises a compound of formula (1):



wherein A is Cu, Ag or Au, and  $0.4 \leq a \leq 5$ , in an amount of 75% to 99.9% by weight of the composition of the negative electrode which releases electrons as the battery is discharged, and a nonaqueous electrolytic solution as an electrolyte.

Claim 22. (Previously Added) The non-aqueous secondary battery of Claim 21, wherein the non-aqueous electrolytic solution contains an organic solvent selected from the group consisting of esters, ethers, 3-substituted-2-oxazolidinones, sulfolane, methylsulfolane, acetonitrile and propionitrile.

Claim 23. (Previously Added) The non-aqueous secondary battery of Claim 5, wherein the compound is selected from the group consisting of  $\text{Ag}_2\text{S}$ ,  $\text{Cu}_2\text{S}$ ,  $\text{AuS}$  and  $\text{Au}_{0.5}\text{S}$ .

Claim 24. (Previously Added) The non-aqueous secondary battery of Claim 5, wherein the compound is selected from the group consisting of  $\text{AuS}$  and  $\text{Au}_{0.5}\text{S}$ .

Claim 25. (Previously Added) The non-aqueous secondary battery of Claim 21, wherein the active material of the negative electrode is operable in the range of 0 V to 1.5 V relative to the oxidation-reduction potential of lithium.

Claim 26. (Currently Amended) An energy storage device having a nonaqueous electrolytic solution and a compound of formula (1):



wherein A is Cu, Ag or Au and  $0.4 \leq a \leq 5$ , as an active material of a negative electrode which is operable in the range of 0 V to 1.5 V relative to the oxidation-reduction potential of lithium, in an amount of 75% to 99.9% by weight of the composition of the negative electrode, wherein the negative electrode is the electrode which releases electrons during operation of the energy storage device.

Claim 27. (Currently Amended) A nonaqueous secondary battery, which comprises:  
a positive electrode whose active material is a compound selected from the group consisting of  $\text{LiFeO}_2$ ,  $\text{LiCoO}_2$ ,  $\text{LiNiO}_2$ ,  $\text{LiMn}_2\text{O}_4$ , their non-stoichiometric compounds,  $\text{MnO}_2$ ,

Appln. No. 09/160,583

Reply to the Office Action of September 23, 2003

TiS<sub>2</sub>, FeS<sub>2</sub>, Nb<sub>3</sub>S<sub>4</sub>, Mo<sub>3</sub>S<sub>4</sub>, CoS<sub>2</sub>, V<sub>2</sub>O<sub>5</sub>, P<sub>2</sub>O<sub>5</sub>, CrO<sub>3</sub>, V<sub>2</sub>O<sub>3</sub>, TeO<sub>2</sub> and GeO<sub>2</sub>; and

a negative electrode whose active material comprises a compound of formula (1):



wherein A is Cu, Ag or Au, and  $0.4 \leq a \leq 5$ , in an amount of 75% to 99.9% by weight of the composition of the negative electrode which is operable in the range of 0 V to 1.5 V relative to the oxidation-reduction potential of lithium, and a nonaqueous electrolytic solution as an electrolyte.